

Michigan Vehicle Code Update

18th Annual Michigan Traffic Safety Summit

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Traffic Services Section

March 26 - 28, 2013



Agenda

- Traffic law update
- Overview of FAQs
- Traffic Safety Listserv
- Wrap Up/Q&A

Traffic Law Update



Summary of 2011-2012 Session

- 148 Bills to amend the Michigan Vehicle Code introduced by the 96th Legislature
- 36 Public Acts
 - 14 House Bills
 - 22 Senate Bills
 - 13 in 2011
 - 23 2012
- No relevant Attorney General Opinions



Summary of 2013-2014 Session

- 40 Bills to amend the Michigan Vehicle Code introduced by the 97th Legislature as of March 22, with both houses adjourned until April 9
- 2 Public Acts
- No relevant Attorney General Opinions



Kelsey's Law

- MCL 257.602c
- Effective date: March 28, 2013
- Prohibits use of a cell phone for Level 1 & II drivers
 - While operating a motor vehicle on a highway or street
 - May not initiate, answer, listen or engage in a verbal communication through the cell phone.



Kelsey's Law continued

- Exceptions- Reporting:
 - Traffic crash, medical emergency, serious road hazard
 - Personal safety in jeopardy
 - Criminal act against self or other



Kelsey's Law continued

- Does not apply if using a voice-operated system integrated within the vehicle.
 - This is not a Blue-Tooth
- This law shall be known as, and may be cited as, “Kelsey’s Law”.



Explanation of GDL Levels

- Level 1 is what used to be called the Temporary Instruction Permit
 - Must have for a minimum of 6 months
- Level 2 is the license you may receive on your 16th birthday
 - Must remain at for 1 full year of violation free driving.



GDL Levels continued

- Level 3 may be received on your 17th Birthday
 - If received your Level 2 on 16th birthday & drove for one full year w/o a violation.
- SOS automatically issues the new license.
- Level 3 is automatically issued once the individual turns 18.
 - No longer held to the GDL Restrictions



Overview of GDL Restrictions

- 257.310e

- May not operate between 10 p.m. and 5 a.m.
- Exceptions: W/a parent or legal guardian (or licensed operator 21 and over designated by parent or guardian)
- In the course of employment (or going to and from employment).
- In the course of an authorized activity



Overview of GDL Restrictions cont'd.

- May not operate w/more than one passenger in the car under age 21
 - Exceptions: W/a parent or legal guardian (or licensed operator 21 and over designated by parent or guardian)
 - Passengers are members of immediate family



Overview of GDL Restrictions cont'd.

- In the course of employment (or going to and from employment).
- In the course of an authorized activity
- Definition of Authorized Activity:
 - A school or a school-sanctioned event or activity. This includes a public or private school, including a home school.



GDL Restrictions-Authorized Activity cont'd.

- A sporting event or activity, or extracurricular event or activity, that is not school-sanctioned but that is part of an official sports league or association.
- A class or program of vocational instruction offered by a college, community college, nonprofit association, etc.
- An event or activity sponsored by a religious organization



GDL Restrictions-Authorized Activity cont'd.

- Transporting an individual in need of immediate emergency care or personal protection to a health care professional, hospital, police station, domestic violence shelter, or public safety location.
- This law initially went into effect March 30, 2011
- This law was amended effective July 20, 2011
 - I've never seen a new law get changed so quickly
 - Due to many complaints of parents



257.602b- Texting Ban

- Amended effective Oct. 28, 2013
 - Adds a subsection for commercial motor vehicles
 - Adds a ban for drivers of commercial motor vehicles to talk on a cell phone
 - However, a Federal regulation went into effect Jan. of 2012.
 - Already adopted into State Law under Act 181 of 1963- Motor Carrier Safety Act- 1/3/2012



Motorcycle Helmet Law

- Amends MCL 257.658
 - Effective April 13, 2012
 - Allows motorcycle operators and passengers to ride without crash helmets if certain conditions are met



Motorcycle Helmet Conditions

- 21 and over
- Operating for 2 years with a motorcycle endorsement or having passed a motorcycle safety course
- \$20,000 additional security



Motorcycle Helmet Law cont'd.

- No requirement to provide proof of the additional security or having taken a motorcycle safety course
- Can't effect traffic stop because they look under 21
- Virtually unenforceable
- \$20,000 additional security will not come close to covering catastrophic injuries.



Flashing, Rotating & Oscillating Lights

- 257.682c- Operation of Commercial Snow Vehicle, Yellow or Amber Light Required
 - Misdemeanor offense
- Effective Date July 2, 2012
 - 257.698(4) previously allowed the use of such.



MOPEDS

- Two New Laws on Mopeds
 - 257.32b
 - 257.658



Moped Definition

- Amends 257.32b
- Effective December 21, 2012
- Changes the definition of a moped, removing the language about 2.0 brake horsepower or less, raises cc limit to 100.
 - Does not change 30 mph limit
- May give false impression that some scooter-style motorcycles become legal as mopeds



Moped

- 257.658
 - Effective March 28, 2013
 - Removes language that a moped shall not be used to carry more than 1 person at a time.
 - Now a moped may carry the number it was manufactured for
 - On a permanent and regular seat



OWI Law

- Amends MCL 257.625
- Changes definition of “Operating While Intoxicated” to include intoxicating substances that do not fall into Public Health Code schedule
- Effective March 31, 2013
- Will allow for prosecution of intoxicated drivers that previously fell through the cracks



Implements of Husbandry

- Three sections of the MVC have been amended:
 - 257.21- Implement of Husbandry
 - 257.59- Semi-Trailer
 - 257.73- Trailer
 - Effective March 28, 2013



Length Limit Increased

- Amends MCL 257.719 and 257.721
- Allows self-propelled recreational vehicle with trailer a length of 65 feet, or 75 feet with an appropriate level CDL
- Fifth-wheel combination 75 feet with an “R” endorsement.
- Effective April 11, 2012



Length Limits cont'd.

- Increases length of boat-hauling truck or truck-trailer combinations to 75 feet
- Effective July 5, 2012



Medical “Episodes”

- Amends MCL 257.309
- Physicians or Optometrists may voluntarily report an episode and may do so anonymously
 - Episode means seizure, loss of consciousness, etc.
 - They are under no obligation to do so
 - Immune from any civil or criminal liability
 - Effective December 13, 2012



New Registration Plates

- Pure Michigan plate
- Fund Raising plates
 - Ducks Unlimited, Anatomical Gifts, Boy Scouts
 - Many pending bills for additional plates
- Just be aware that you will see many different plates out there



Historic Vehicle Plate

- Amends MCL 257.20a
- Defines the month of August as a Historic Vehicle Exposition for purposes of operating vehicles with Historic plates
- Effective June 29, 2012
- May increase the number of potentially less safe older vehicles on the road during the month of August each year

Other Noteworthy Items



FAQs

- MSP's website has an FAQ page.
 - People may send in questions
 - I receive all of those emails directly
 - <http://www.michigan.gov/msp>
 - Click on FAQs
 - Click on Traffic Laws FAQs



Traffic Field Updates

- We have these on our website as well
- I do not do these and they have not been updated in quite some time
- Archives: <http://www.michigan.gov/msp-traffic>
 - Go to Resources
 - Go to Traffic Services Field Update Archives



Traffic Listserv

- I oversee the Traffic Safety Listserv
- I send out training announcements related to traffic safety
 - Datamaster, PBT, SFST, etc.
- I send out info on MVC law changes
- I send out info from SOS reference plates, titles, etc.
- To subscribe, email me @ bennettj14@michigan.gov

Other Items for Discussion



MVC Books & Excerpt Books

- Neither are available in a published format
- Cost prohibitive
- Full MVC is available online:
<http://www.michiganlegislature.org>
 - Public Act MCL Search
 - In the “Public Act Number” box type 300
 - In the “Public Act Year” box type 1949



Other Pertinent Acts

- Act 181 of 1963
 - Motor Carrier Safety Act
- Act 451 of 1994
 - Natural Resources and Environmental Protection Act
 - ORV Laws, Snowmobile Laws, Hunting Laws



Alternative Vehicle Questions

- Conversion of golf carts and ORVs to “street legal”
- Other alternative vehicles
- Others issues pertaining to them



Q&A

- Any questions?
- Thank you for your time
- Evaluations

Contact Information

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